86R27650 KJE-F

By:  Howard H.B. No. 1933

Substitute the following for H.B. No. 1933:

By:  Howard C.S.H.B. No. 1933

A BILL TO BE ENTITLED

AN ACT

relating to authorizing a public institution of higher education to include certain textbook costs in the institution's charge for tuition or required fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter A, Chapter 54, Education Code, is amended by adding Section 54.019 to read as follows:

Sec. 54.019.  INCLUSION OF CERTAIN TEXTBOOK COSTS IN TUITION OR FEES CHARGE. (a) In this section, "coordinating board" means the Texas Higher Education Coordinating Board.

(b)  The governing board of an institution of higher education may establish in accordance with this section and 34 C.F.R. Section 668.164(c)(2)(i) a textbook affordability program under which the institution may include the cost of any textbooks or other materials required for a course in the tuition or required fees charged by the institution for the course.

(c)  A textbook affordability program established under this section must:

(1)  permit a student to opt out of the program, including having the cost of textbooks or materials included in the tuition or required fees charged to the student; and

(2)  provide a student a means of obtaining textbooks or materials not later than the first day of the semester or other term in which the textbooks or materials are required.

(d)  For each course included in a textbook affordability program established by an institution of higher education under this section, the institution shall include in the course catalog under Section 54.0051:

(1)  the cost of the textbooks or other materials included in the tuition or required fees charged for the course under the program; and

(2)  a description of the opt-out provision under Subsection (c).

(e)  Not later than November 1 of each even-numbered year, the coordinating board shall submit to the standing legislative committees with primary jurisdiction over higher education a report on the aggregate savings to students resulting from textbook affordability programs established under this section.

(f)  The coordinating board shall adopt rules for the administration of a textbook affordability program established under this section, including rules that ensure that each program complies with state and federal law regarding confidentiality of student educational information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

SECTION 2.  The change in law made by this Act applies beginning with the 2019 fall semester.

SECTION 3.  Not later than November 1, 2020, the Texas Higher Education Coordinating Board shall submit the initial report required under Section 54.019, Education Code, as added by this Act.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.